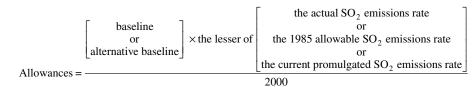
## **Environmental Protection Agency**



[60 FR 17115, Apr. 4, 1995, as amended at 63 FR 18841, Apr. 16, 1998]

- §74.28 Allowance allocation for combustion sources becoming opt-in sources on a date other than January 1.
- (a) Dates of entry. (1) If an opt-in source provided monthly data under §74.20, the opt-in source's opt-in permit may become effective at the beginning of a calendar quarter as of January 1, April 1, July 1, or October 1.
- (2) If an opt-in source provided annual data under §74.20, the opt-in

source's opt-in permit must become effective on January 1.

(b) Prorating by Calendar Quarter. Where a combustion source's opt-in permit becomes effective on April 1, July 1, or October 1 of a given year, the Administrator will prorate the allowance allocation for that first year by the calendar quarters remaining in the year as follows:

Allowances for the first year

$$= \left(\frac{\text{first year partial baseline}}{\text{baseline or alternative baseline}}\right) \times \text{annual allocation of allowances for the first year}$$

(1) For combustion sources that commenced operations before January 1, 1985,

 $\sum_{\text{first year partial baseline}}^{1987} \text{ fuel consumption for remaining calendar quarters}$ 

(2) For combustion sources that commenced operations after January 1, 1985.

first year partial baseline = 
$$\sum_{\text{First 3 consecutive years}} \frac{\text{fuel consumption for the remaining calendar quarters}}{3}$$

- (3) Under paragraphs (b) (1) and (2) of this section,
- (i) "Remaining calendar quarters" shall be the calendar quarters in the

first year for which the opt-in permit will be effective.

(ii) Fuel consumption for remaining calendar quarters =

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$$\sum_{\text{months-Apr. Jul., or Oct.}}^{\text{Dec}} \cdot \sum_{\text{Fuel Types}} \text{quantity of fuel consumed} \times \text{heat content} \times \text{unit conversion}$$

where unit conversion

- = 2 for coal
- = 0.001 for oil
- = 1 for gas

For other fuels, the combustion source must specify unit conversion;

and where starting month

- = April, if effective date is April 1;
- = July, if effective date is July 1; and
- = October, if effective date is October 1.

## Subpart D—Allowance Calculations for Process Sources [Reserved]

# Subpart E—Allowance Tracking and Transfer and End of Year Compliance

## § 74.40 Establishment of opt-in source allowance accounts.

(a) Establishing accounts. Not earlier than the date on which a combustion or process source becomes an affected unit under this part and upon receipt of a request for a compliance account under paragraph (b) of this section, the Administrator will establish a compliance account (unless the source that includes the opt-in source already has a compliance account or the opt-in source has, under §74.4(c), a different designated representative than the designated representative for the source) and allocate allowances in accordance with subpart C of this part for combustion sources or subpart D of this part for process sources.

(b) Request for opt-in account. The designated representative of the opt-in source shall, on or after the effective date of the opt-in permit as specified in §74.14(d), submit a letter requesting the opening of an compliance account (unless the source that includes the opt-in source already has a compliance account or the opt-in source has, under §74.4(c), a different designated representative than the designated representative for the source) to the Administrator.

[60 FR 17115, Apr. 4, 1995, as amended at 70 FR 25336, May 12, 2005]

#### § 74.41 Identifying allowances.

- (a) *Identifying allowances*. Allowances allocated to an opt-in source will be assigned a serial number that identifies them as being allocated under an opt-in permit.
- (b) Submittal of opt-in allowances for auction. (1) An authorized account representative may offer for sale in the spot auction under §73.70 of this chapter allowances that are allocated to opt-in sources, if the allowances have a compliance use date earlier than the year in which the spot auction is to be held and if the Administrator has completed the deductions for compliance under §73.35(b) for the compliance year corresponding to the compliance use date of the offered allowances.
- (2) Authorized account representatives may not offer for sale in the advance auctions under §73.70 of this chapter allowances allocated to opt-in sources.

### §74.42 Limitation on transfers.

- (a) With regard to a transfer request submitted for recordation during the period starting January 1 and ending with the allowance transfer deadline in the same year, the Administrator will not record a transfer of an opt-in allowance that is allocated to an opt-in source for the year in which the transfer request is submitted or a subsequent year.
- (b) With regard to a transfer request during the period starting with the day after an allowance transfer deadline and ending December 31 in the same year, the Administrator will not record a transfer of an opt-in allowance that is allocated to an opt-in source for a year after the year in which the transfer request is submitted.

[70 FR 25336, May 12, 2005]

# § 74.43 Annual compliance certification report.

(a) Applicability and deadline. For each calendar year in which an opt-in source is subject to the Acid Rain emissions limitations, the designated